

Last revised 8/1/15

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In Re:  
Charles E. Nelson and Cindy Nelson

Case No.: 13-20355  
Judge: JNP  
Chapter: 13

Debtor(s)

**Chapter 13 Plan and Motions**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Original         | <input checked="" type="checkbox"/> Modified/Notice Required | <input checked="" type="checkbox"/> Discharge Sought |
| <input type="checkbox"/> Motions Included | <input type="checkbox"/> Modified/No Notice Required         | <input type="checkbox"/> No Discharge Sought         |

Date: 9/26/2016

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS WILL BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$ 377.00 per month to the Chapter 13 Trustee, starting on October 1, 2016 for approximately 20 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future earnings
- ☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property

Description:

Proposed date for completion: \_\_\_\_\_

- ☐ Refinance of real property:

Description:

Proposed date for completion: \_\_\_\_\_

- ☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: \_\_\_\_\_

- d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e. ☐ Other information that may be important relating to the payment and length of plan:

**Part 2: Adequate Protection**

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: \_\_\_\_\_ (creditor).

**Part 3: Priority Claims (Including Administrative Expenses)**

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Seymour Wasserstrum	Legal Fees	\$4,007.31 (+ \$900.00 in supplemental fees upon Court approval)
Internal Revenue Service	Taxes	\$758.94

**Part 4: Secured Claims**

**a. Curing Default and Maintaining Payments**

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

**b. Modification**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
Navy Federal Credit Union	2007 Chrysler Aspen	\$15,692.97	\$10,550.00	NONE	\$10,550.00	5%	\$11,945.40

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**c. Surrender**

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Wells Fargo	37 Brambling Lane	\$220,000.00	\$0.00

**d. Secured Claims Unaffected by the Plan**

The following secured claims are unaffected by the Plan:

VIP Auto Outlet Inc. - 2002 GMC Yukon - to be maintained outside bankruptcy

TAM Lending Center, Inc - Mortgage on 63 Cornell Drive, Voorhees, NJ - To be paid outside of the Plan

**e. Secured Claims to be Paid in Full Through the Plan:**

Creditor	Collateral	Total Amount to be Paid Through the Plan

**Part 5: Unsecured Claims**

**a. Not separately classified** allowed non-priority unsecured claims shall be paid:

☒ Not less than \$ 0.00 to be distributed *pro rata*

☐ Not less than 100 percent

☐ *Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured** claims shall be treated as follows:

Creditor	Basis For Separate Classification	Treatment	Amount to be Paid

**Part 6: Executory Contracts and Unexpired Leases**

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor

**Part 7: Motions**

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service* must be filed with the Clerk of Court when the plan and transmittal notice are served.**

**a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f).**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

**b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Navy Federal Credit Union	2007 Chrysler Aspen	\$10,550.00	\$5142.00

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- ☒ Upon confirmation  
☐ Upon discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Priority Claims
- 3) Secured Claims
- 4) Unsecured Claims

**d. Post-Petition Claims**

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 9/26/2016.

Explain below **why** the plan is being modified:

To list TAM Lending Center, Inc under Secured Claims Unaffected by the Plan.

Explain below **how** the plan is being modified:

To list TAM Lending Center, Inc under Secured Claims Unaffected by the Plan.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

**Part 10: Sign Here**

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 9/26/2016

/s/ Seymour Wasserstrum

Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 9/26/2016

/s/ Charles E. Nelson

Debtor

Date: 9/26/2016

/s/ Cindy Nelson

Joint Debtor

**Certificate of Notice Page 8 of 9**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Charles E Nelson  
 Cindy Nelson  
 Debtors

Case No. 13-20355-JNP  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-1

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 44

Date Rcvd: Sep 27, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 29, 2016.

db/jdb  
 r  
 514139912 +Charles E Nelson, Cindy Nelson, 63 Cornell Drive, Voorhees, NJ 08043-4911  
 514176695 +Deborah Andrews, Weichert Realtors, 5070 Rte 42, Turnersville, NJ 08012-1733  
 514189589 +Apex Asset Management, LLC, PO Box 5407, Lancaster, PA 17606-5407  
 513926599 +CAPITAL ONE BANK (USA), N.A., PO Box 12907, Norfolk VA 23541-0907  
 513926598 CAPITAL ONE, N.A., C/O BECKETT AND LEE LLP, POB 3001, MALVERN, PA 19355-0701  
 +Capital One, P.O. Box 30253, Salt Lake City, UT 84130-0253  
 +Capital One, Attn: Nudelman Klemm & Golub PC, P.O. Box 30253, Salt Lake City, UT 84130-0253  
 514061410 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083  
 513926600 +Chase Bank, P.O. Box 15298, Wilmington, DE 19850-5298  
 513948838 ++DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577  
 (address filed with court: Dell Financial Services, LLC, Resurgent Capital Services, PO Box 10390, Greenville, SC 29603-0390)  
 513926602 Emrg Phy Assoc Of SJ, P.O. Box 635999, Cincinnati, OH 45263-5999  
 513926603 First Premier, 3820 N. Louise Ave, Sioux Falls, SD 57107-0145  
 513926604 +Holdbrook Pediatric Dental, P.O. Box 392, Cherry Hill, NJ 08003-0392  
 513926605 Hsbc Card Services, P.O. Box 17051, Baltimore, MD 21297-1051  
 513926610 Kennedy Health System, P.O. Box 48023, Newark, NJ 07101-4823  
 513926612 +Navy Federal Credit Union, P.O. Box 3700, Merrifield, VA 22119-3700  
 514188534 +New Century Financial Services, Inc., c/o Pressler and Pressler, LLP., 7 Entin Road, Parsippany NJ 07054-5020  
 513926617 The Home Depot, P.O. Box 689106, Des Moines, IA 50368-9106  
 513926618 +Tribute Mastercard, 8875 Areo Drive, San Diego, CA 92123-2251  
 513926619 Virtua Health, P.O. Box 8500, Philadelphia, PA 19178-8267  
 513926620 Virtua Health Berlin, P.O. Box 8500-8267, Philadelphia, PA 19178-8267  
 513926621 +Voorhees Fire District, P.O. Box 1016, Voorhees, NJ 08043-7016  
 513926623 ++WELLS FARGO BANK NA, WELLS FARGO HOME MORTGAGE AMERICAS SERVICING, ATTN BANKRUPTCY DEPT MAC X7801-014, 3476 STATEVIEW BLVD, FORT MILL SC 29715-7203  
 (address filed with court: Wells Fargo Mortgage, 8480 Stagecoach Circle, Frederick, MD 21701)  
 514186417 +Wells Fargo Bank, PO Box 63491 MAC A0143-042, San Francisco, Ca 94163-0001  
 514187655 +Wells Fargo Bank, PO Box 5058 MAC P6053-021, Portland, OR 97208-5058  
 514129876 +Wells Fargo Bank, NA, c/o Zucker Goldberg & Ackerman, 200 Sheffied Street, Suite 301, Mountainside, NJ 07092-2315  
 514136447 +Wells Fargo Bank, NA, Attn: Bankruptcy Dept., MAC # D3347-014, 3476 Stateview Blvd., Fort Mill, SC 29715-7203

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. smg

E-mail/Text: usanj.njbankr@usdoj.gov Sep 27 2016 23:12:19 U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Sep 27 2016 23:12:16 United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235  
 514061075 +E-mail/Text: bncmail@w-legal.com Sep 27 2016 23:12:26 ANTIO, LLC, C O WEINSTEIN AND RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132  
 513947590 +E-mail/Text: g20956@att.com Sep 27 2016 23:12:53 AT&T Mobility II LLC, %AT&T SERVICES INC., KAREN A. CAVAGNARO - PARALEGAL, ONE AT&T WAY, ROOM 3A 231, BEDMINSTER, NJ 07921-2693  
 513926597 E-mail/Text: g20956@att.com Sep 27 2016 23:12:54 AT&T Wireless, P.O. Box 537104, Atlanta, GA 30353-7104  
 513926601 +E-mail/Text: ned-collections\_bankruptcydocuments@comcast.com Sep 27 2016 23:12:49 Comcast, 1500 Market St, Philadelphia, PA 19102-2107  
 513926606 +E-mail/Text: cio.bncmail@irs.gov Sep 27 2016 23:11:50 Internal Revenue Service, 1601 Market St, Philadelphia, PA 19103-2309  
 513926611 +E-mail/Text: bnckohlsnotices@beckett-lee.com Sep 27 2016 23:11:37 Kohl's, P.O. Box 3115, Milwaukee, WI 53201-3115  
 513926613 E-mail/Text: bankruptcydepartment@tsico.com Sep 27 2016 23:13:01 NCO Financial Systems, Re: SJ Hospital, P.O. Box 15740, Wilmington, DE 19850-5740  
 513926614 E-mail/Text: bankruptcydepartment@tsico.com Sep 27 2016 23:13:00 NCO Financial Systems, P.O. Box 15740, Wilmington, DE 19850-5740  
 514004961 E-mail/Text: ext\_ebn\_inbox@navyfederal.org Sep 27 2016 23:13:15 Navy Federal Credit Union, PO Box 3000, Merrifield, VA 22119-3000  
 513926615 +E-mail/PDF: bankruptcy@ncfsi.com Sep 27 2016 23:06:12 New Century Financial Services, 110 S. Jefferson Rd, Whippany, NJ 07981-1038  
 514864780 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Sep 27 2016 23:05:18 Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541  
 514864781 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Sep 27 2016 23:06:11 Portfolio Recovery Associates, LLC, PO Box 41067, Norfolk, VA 23541  
 514168916 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Sep 27 2016 23:22:06 Portfolio Recovery Associates, LLC, c/o Washington Mutual, POB 41067, Norfolk VA 23541  
 513926616 E-mail/Text: bankruptcy@td.com Sep 27 2016 23:12:20 TD Bank, P.O. Box 1377, Lewiston, ME 04243-1377



District/off: 0312-1

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 44

Date Rcvd: Sep 27, 2016

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

513926622 +E-mail/PDF: gecsed@recoverycorp.com Sep 27 2016 23:05:39 Walmart, P.O. Box 32896,  
Orlando, FL 32896-0001

TOTAL: 17

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

513926608\* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,  
PHILADELPHIA PA 19101-7346  
(address filed with court: Internal Revenue Service, P.O. Box 724, Springfield, NJ 07081)  
513926607\* Internal Revenue Service, Special Procedure Branch, P.O. Box 744, Springfield, NJ 07081  
513926609\* +Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-7346  
513999190\* Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346

TOTALS: 0, \* 4, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 29, 2016

Signature: /s/Joseph Speetjens

---

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 26, 2016 at the address(es) listed below:

Angela Catherine Pattison on behalf of Creditor WELLS FARGO BANK, NA  
angela.pattison@powerskirn.com, ecf@powerskirn.com  
Frances Gambardella on behalf of Creditor Wells Fargo Bank, NA  
bankruptcynotice@zuckergoldberg.com  
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,  
summarymail@standingtrustee.com  
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com  
Isabel C. Balboa (NA) on behalf of Trustee Isabel C. Balboa ecf@standingtrustee.com  
Joshua I. Goldman on behalf of Creditor Reverse Mortgage Solutions, Inc.  
jgoldman@kmlawgroup.com, bkggroup@kmlawgroup.com  
Raymond Shockley, Jr on behalf of Trustee Isabel C. Balboa ecf@standingtrustee.com  
Seymour Wasserstrum on behalf of Joint Debtor Cindy Nelson mylawyer7@aol.com,  
ecf@seymourlaw.net  
Seymour Wasserstrum on behalf of Debtor Charles E Nelson mylawyer7@aol.com, ecf@seymourlaw.net  
TOTAL: 9